

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

SHAWN INMAN,

Plaintiff,

vs.

KILOLO KIJAKAZI,
acting commissioner
of Social Security,

Defendant.

Case No. 22-cv-1901-DWD

MEMORANDUM AND ORDER

DUGAN, District Judge:

Before the Court is the parties' Joint Stipulation to Remand to the Commissioner. (Doc. 22). The parties ask that this case be remanded for further proceedings pursuant to sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g). A sentence four remand (as opposed to a sentence six remand) depends upon a finding of error, and is itself a final, appealable order. *See, Melkonyan v. Sullivan*, 501 U.S. 89 (1991); *Perlman v. Swiss Bank Corporation Comprehensive Disability Protection Plan*, 195 F.3d 975, 978 (7th Cir. 1999). Upon a sentence four remand, judgment should be entered in favor of plaintiff. *Shalala v. Schaefer*, 509 U.S. 292, 302-303 (1993).

The parties agree that, "[o]n remand, the ALJ will proceed through the sequential disability evaluation process and issue a new decision. If warranted, the ALJ will obtain supplemental vocational expert testimony." (Doc. 22, p. 1).

For good cause shown, the parties' Joint Stipulation to Remand to the Commissioner (Doc. 22) is **GRANTED**.

The final decision of the Commissioner of Social Security denying Plaintiff's application for social security benefits is **REVERSED** and **REMANDED** to the Commissioner for rehearing and reconsideration of the evidence, pursuant to sentence four of 42 U.S.C. § 405(g).

The Clerk of Court is **DIRECTED** to enter judgment in favor of Plaintiff.

IT IS SO ORDERED.

Dated: January 18, 2023

The image shows a handwritten signature in black ink that reads "David W. Dugan". The signature is written over a circular official seal. The seal features an eagle with spread wings, a shield on its chest, and a banner in its beak. The text "UNITED STATES DISTRICT COURT" is written in a circle around the top, and "SOUTHERN DISTRICT OF ILLINOIS" is written around the bottom.

DAVID W. DUGAN
United States District Judge